

# **Exhibit 1**



Federally Recognized  
October 3, 1950

## COUNCIL

Joe Bunch  
Chief

Jamie Thompson  
Assistant Chief

Joyce Hawk  
Secretary

Ella Mae Worley  
Treasurer

Eddie Sacks  
Canadian District

Jeanie Tidwell  
Cooweescooee  
District

Adelene Smith  
Delaware District

Frankie Still  
Flint District

Sharon Benoit  
Goingsnake District

Peggy Girty  
Illinois District

Charles Smoke  
Saline District

Barry Dotson  
Sequoyah District

Jeff Wacoche  
Tahlequah District

**United Keetoowah Band  
Of Cherokee Indians in Oklahoma**  
P.O. Box 746 • Tahlequah, OK 74465  
18263 W Keetoowah Circle • Tahlequah, OK 74464  
Phone: (918) 871-2800 • Fax: (918) 414-4000  
Toll Free: 1-888-867-2430  
[www.ukb-nsn.gov](http://www.ukb-nsn.gov)

August 19, 2020

*Via email ([facility\\_license\\_ephs@nigc.gov](mailto:facility_license_ephs@nigc.gov)) and U.S. mail*

E. Sequoyah Simermeyer, Chairman  
National Indian Gaming Commission  
1849 C Street, NW  
Mail Stop #1621  
Washington, DC. 20240

Re: Facility License Notifications

Dear Chairman Simermeyer:

Pursuant to National Indian Gaming Commission (“NIGC”) regulations at 25 C.F.R. part 559, the United Keetoowah Band of Cherokee Indians in Oklahoma (“UKB” or “Keetoowah Cherokee”) hereby submits the enclosed Facility License Notifications for the following two sites, both under Keetoowah Cherokee jurisdiction within the Cherokee Reservation: 1) the Keetoowah Cherokee’s River Brewhouse at 2380 Muskogee Avenue in Tahlequah, Oklahoma, held in fee by the Keetoowah Cherokee within its reservation; and 2) the Keetoowah Cherokee’s Community Parcel in Tahlequah, Oklahoma, held by the United States in trust for the Keetoowah Cherokee within its reservation.

As stated in the Facility License Notification, the UKB is considering facility licenses for these two sites, and we request your expedited review and written confirmation under 25 C.F.R. § 559.2(a).

If you have questions or requests, please feel free to contact UKB Attorney General Clint Cowan at (405) 232-0621 or UKB Assistant Attorney General Jeffrey Nelson at (202) 746-6149.

Sincerely,

Jamie Thompson, Chairman  
UKB Corporate Board

Encl. – Resolution No. 20-UKB-84 (Aug. 15, 2020)

cc: Michael Hoenig, NIGC General Counsel  
Tribal Council, United Keetoowah Band of Cherokee Indians

**Ex 1, Page 1 of 11**



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18263 W. Keetoowah Circle • Tahlequah, OK 74464  
Phone: (918) 871-2800 • Fax: (918) 414-4000

## RESOLUTION

August 15, 2020

20-UKB-84

### APPROVE THE SUBMISSION FACILITY LICENSE NOTICES RE: NIGC

**WHEREAS**, THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS IN OKLAHOMA [hereafter, UKB or Band] is a federally recognized Band of Indians, organized and incorporated pursuant to the Oklahoma Indian Welfare Act (49 Stat. 1967), the Act of August 10, 1946 (60 Stat. 976), and the Indian Reorganization Act (48 Stat. 984), insofar as that Act applies to Oklahoma Indians and is a Self-Governance tribe; and,

**WHEREAS**, Article III, Section 1 of the Constitution of the UKB provides that the objective of said Band shall be to secure the benefits, rights, privileges, and powers as provided for by the above cited laws of the United States of America; and,

**WHEREAS**, Article III, Section 2 of the Constitution of the UKB provides further that the objective of the Band shall be to secure the benefits, rights, privileges and powers as provided for by any laws of the United States now existing or that may hereafter be enacted for the benefit of Indians or other citizens of the United States and administered by various government agencies; and,

**WHEREAS**, The UKB, in pursuit of these goals, desires to improve and advance the economic status of its members; and,

**WHEREAS**, Article V, Section 1 of said Constitution provides that the supreme governing body of the Band shall be the Council of the UKB; and,

**WHEREAS**, Sections 3(a) through 3(v) of the UKB Corporate Charter (approved by the Commissioner of Indian Affairs and the Assistant Secretary of the Interior) provides that the UKB Council is charged with conducting business and finance and preserving the property, natural resources and traditions of the Band;

**United Keetoowah Band of Cherokee Indians in Oklahoma**

Resolution #20-UKB-84

August 15, 2020

Page 2

**WHEREAS:** that the Council of the United Keetoowah Band of Cherokee Indians in Oklahoma does approve the submission Facility License Notices Re: NIGC; and,

**BE IT FINALLY RESOLVED:** That Resolution #20-UKB-84 hereby rescinds any and all preceding resolutions that may be inconsistent with the matter.

**CERTIFICATION**

I hereby certify that the foregoing Resolution #20-UKB-84 was approved by the Council of the United Keetoowah Band of Cherokee Indians in Oklahoma (UKB) during a Regular meeting convened for business on the 15<sup>th</sup> day of August, 2020, with 11 members present to constitute a quorum by a vote of 11 Yes, 0 No, and 0 Abstentions.

Joe Bunch

Joe Bunch, Chief

Attest:

Joyce Hawk

Joyce Hawk, Tribal Secretary

**Facility License Notices to NIGC  
Resolution 20-UKB-84 (Aug. 15, 2020)**

THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS IN OKLAHOMA (“Keetoowah Cherokee” or “UKB”) is a federally recognized tribe of Indians, organized and incorporated under the Oklahoma Indian Welfare Act (49 Stat. 1967), the Act of August 10, 1946 (60 Stat. 976), and the Indian Reorganization Act (48 Stat. 984), insofar as the Act applies to Oklahoma Indians, and operates under a duly ratified Constitution and By-Laws.

Article III of the Keetoowah Cherokee Constitution provides the objectives of the UKB shall be to secure the benefits, rights, privileges and powers as provided for by the above-cited laws of the United States of America; to secure the benefits, rights, privileges and powers as provided for by any laws of the United States now existing or that may hereafter be enacted for the benefit of Indians or other citizens of the United States and administered by various government agencies; and to promote the general welfare of the Keetoowah Cherokee and its citizens.

The UKB is the successor-in-interest of the historic Western Cherokees, who received a reservation in what is now Oklahoma in 1828 in exchange for the leaving its reservation in Arkansas.

The Indian Gaming Regulatory Act (“IGRA”) authorizes federally recognized Indian tribes to license, regulate and engage in Class II gaming on Indian lands within such tribe’s jurisdiction if the governing body of the Indian tribe adopts a gaming ordinance that is approved by the Chairman of the National Indian Gaming Commission (“NIGC”) and the Indian tribe issues a separate license for each place, facility, or location on Indian lands at which Class II gaming is conducted. 25 U.S.C. § 2710(b)(1).

On November 5, 1994, the Council of the Keetoowah Cherokees approved and adopted the United Keetoowah Band of Cherokee Indians in Oklahoma Class II Gaming Ordinance in order to authorize and set the terms for Class II gaming operations on UKB lands. The UKB’s Class II gaming ordinance was approved by the NIGC Chairman on March 22, 1995.

Pursuant to NIGC regulations, an Indian tribe must provide notice to the NIGC Chairman that the Indian tribe is considering the issuance of any facility license at least 120 days before opening gaming operations at any new place, facility or location. A tribe may request an expedited review of 60 days and the NIGC Chairman shall respond to the tribe’s request, either granting or denying the expedited review, within 30 days. 25 C.F.R. § 559.2.

The UKB Council hereby provides notice to the NIGC Chairman that gaming facility licenses are under consideration for two locations within the Keetoowah Cherokee jurisdiction on the Cherokee Reservation, as set forth below.

The UKB Council respectfully requests expedited review of this notice pursuant to 25 C.F.R. § 559.2(a)(1) and written confirmation from the NIGC Chairman pursuant to 25 C.F.R. § 559.2(a)(2).

**A. River Brewhouse**

a. Address:

2380 Muskogee Ave.  
Tahlequah, OK 74464

b. Legal Land Description:

Real property and premises situated in Cherokee County, State of Oklahoma, to-wit:

**TRACT 1**

A tract of land lying in and being a part of the S2 of the NE4 of the SE4 of the SW4 of Section 4, Township 16 North, Range 22 East, Cherokee County, Oklahoma, more particularly described as follows, to-wit: BEGINNING at a point 33.44 feet South of the North boundary and 131.0 feet East of the West boundary of said S2 NE4 SE4 SW4; thence S0°07'W, 141.56 feet; thence S89°49'E, 194.0 feet; thence N84°35'E, 10.76 feet; thence N6°20'W, 109.77 feet; thence N88°12'55"W, 13.43 feet; thence N70°12'40"W, 84.12 feet; thence N88°12'55"W, 99.79 feet to the Point of Beginning, Cherokee County, Oklahoma.

AND

**TRACT 2**

A tract of land lying in and being a part of the S2 of the NE4 of the SE4 of the SW4 of Section 4, Township 16 North, Range 22 East, Cherokee County, Oklahoma, more particularly described as follows, to-wit: BEGINNING at a point 173.89 feet South of the North boundary and 335.71 feet East of the West boundary of said S2 NE4 SE4 SW4; thence N84°35'E, 104.24 feet to a point on the Westerly boundary of U.S. Highway No. 62; thence N5°25'W, along the Westerly boundary of U.S. Highway No. 62, 66.36 feet; thence N46°48'58"W, 45.01 feet; thence N88°12'55"W, 76.83 feet; thence S6°20'E, 109.77 feet to the Point of Beginning, Cherokee County, Oklahoma.

**Conveyance includes assignment of Access Agreement recorded in Book 629 Page 67-70**

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

c. Deed and Documentation of Ownership (Deed attached)

**B. 76 Acre Community Parcel**

a. Address:

Keetoowah Circle  
Tahlequah, OK 74464

b. Legal Land Description:

Real property and premises situated in Cherokee County, State of Oklahoma, to-wit:

The S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$  and the N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 8, Township 16 North, Range 22 East of the IB&M, according to the Government Survey thereof, Cherokee County, Oklahoma, containing 76 acres more or less, surface only,

LESS AND EXCEPT a tract of land being part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 8, Township 16 North, Range 22 East, IB&M, in Cherokee County, Oklahoma, more particularly described as follows: Commencing at the southeast corner of Section 8; thence North 0°03'00" East along the east line of said Section 8, to the northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 8 a distance of 1983.63 feet; thence North 89°55'56" West along the north line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 8 a distance of 237.07 feet to the true point of beginning; thence South 22°16'14" West a distance of 380.52 feet; thence in a northwesterly direction around a curve to the left having a radius of 146.00 feet and arc distance of 52.41 feet and having a chord bearing of North 40°07'46" West a chord distance of 52.13 feet; thence in a northwesterly direction around a curve to the left having a radius of 366.00 feet an arc distance of 451.42 feet and having a chord bearing of North 85°44'51" West a chord distance of 423.35 feet; thence in a southwesterly direction around a curve to the right having a radius of 271.54 feet an arc distance 147.73 feet and having a chord bearing of South 74°30'16" West a chord distance of 145.92 feet; thence North 00°05'27" East to a point on the north line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 8 a distance of 320.75 feet; thence South 89°55'56" East along the north line of S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 740.10 feet; to the true point of beginning, containing 4.26 acres, more or less.

<b>Tract Name: 76 ACRE COMMUNITY PARCEL</b>							
<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRQ</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>	
905	CHEROKEE (FCT)		MUSKOGEE, OK	EASTERN OKLAHOMA	CHEROKEE NATION	Surface Only	
REGIONAL OFFICE							
<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>State</u>	<u>County</u>	<u>Meridian</u>	<u>Legal Description</u>	<u>Acres</u>
8	016.00N	022.00E	OKLAHOMA	CHEROKEE	Indian	N S SE	40.000
8	016.00N	022.00E	OKLAHOMA	CHEROKEE	Indian	S N SE	36.000

METES AND BOUNDS: ACCORDING TO THE GOVERNMENT SURVEY THEREOF, CHEROKEE COUNTY, OKLAHOMA, CONTAINING 76 ACRES MORE OR LESS, SURFACE ONLY, LESS A TRACT OF LAND BEING PART OF THE S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 22 EAST, IB&M, IN CHEROKEE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 8; THENCE NORTH 0°03'00" EAST ALONG THE EAST LINE OF SAID SECTION 8, TO THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  OF SAID SECTION 8 A DISTANCE OF 1983.63'; THENCE NORTH 89°55'56" WEST ALONG THE NORTH LINE OF THE S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  OF SECTION 8 A DISTANCE OF 237.07' TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 22°16'14" WEST A DISTANCE OF 380.52'; THENCE IN A NORTHWESTERLY DIRECTION AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 146.00' AND ARC DISTANCE OF 52.41' AND HAVING A CHORD BEARING OF NORTH 40°07'46" WEST A CHORD DISTANCE OF 52.13'; THENCE IN A NORTHWESTERLY DIRECTION AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 366.00' AN ARC DISTANCE OF 451.42' AND HAVING A CHORD BEARING OF NORTH 85°44'51" WEST A CHORD DISTANCE OF 423.35'; THENCE IN A SOUTHWESTERLY DIRECTION AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 271.54' AN ARC DISTANCE 147.73' AND HAVING A CHORD BEARING OF SOUTH 74°30'16" WEST A CHORD DISTANCE OF 145.92'; THENCE NORTH 00°05'27" EAST TO A POINT ON THE NORTH LINE OF THE S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  OF SECTION 8 A DISTANCE OF 320.75'; THENCE SOUTH 89°55'56" EAST ALONG THE NORTH LINE OF S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  A DISTANCE OF 740.10'; TO THE TRUE POINT OF BEGINNING, CONTAINING 4.26 ACRES, MORE OR LESS.

c. Tract Number Assigned by BIA (Trust Deed attached)

BIA Case No. 17858

AD No: 4200203495



I-2019-008236 Book 1258 Pg: 758  
12/05/2019 1:22 pm Pg 0758-0761  
Fee: \$ 24.00 Doc: \$ 0.00  
Cheryl Trammel - Cherokee County Clerk  
State of Oklahoma



## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the United Keetoowah Band of Cherokee Indians in Oklahoma, P. O. Box 746, Tahlequah, Oklahoma 74465, of Cherokee County, State of Oklahoma, party of the first part, in consideration of the trust responsibilities to be performed by the United States does hereby grant, bargain, sell, and convey unto the UNITED STATES OF AMERICA in Trust for the United Keetoowah Band of Cherokee Indians in Oklahoma, a corporation chartered under the Act of June 26, 1936 (49 Stat. 1967), and the Act of August 10, 1946 (60 Stat. 976), party of the second part, the following described real property and premises situated in Cherokee County, State of Oklahoma, to-wit:

The S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$  and the N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 8, Township 16 North, Range 22 East of the IB&M, according to the Government Survey thereof, Cherokee County, Oklahoma, containing 76 acres more or less, surface only,

LESS AND EXCEPT a tract of land being part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 8, Township 16 North, Range 22 East, IB&M, in Cherokee County, Oklahoma, more particularly described as follows: Commencing at the southeast corner of Section 8; thence North 0°03'00" East along the east line of said Section 8, to the northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 8 a distance of 1983.63 feet; thence North 89°55'56" West along the north line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 8 a distance of 237.07 feet to the true point of beginning; thence South 22°16'14" West a distance of 380.52 feet; thence in a northwesterly direction around a curve to the left having a radius of 146.00 feet and arc distance of 52.41 feet and having a chord bearing of North 40°07'46" West a chord distance of 52.13 feet; thence in a northwesterly direction around a curve to the left having a radius of 366.00 feet an arc distance of 451.42 feet and having a chord bearing of North 85°44'51" West a chord distance of 423.35 feet; thence in a southwesterly direction around a curve to the right having a radius of 271.54 feet an arc distance 147.73 feet and having a chord bearing of South 74°30'16" West a chord distance of 145.92 feet; thence North 00°05'27" East to a point on the north line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 8 a distance of 320.75 feet; thence South 89°55'56" East along the north line of S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 740.10 feet; to the true point of beginning, containing 4.26 acres, more or less.

And warrant title to the same, subject to any valid, existing lease, or right-of-way thereof.

It being understood that the hereinabove described lands are purchased pursuant to the provisions of Section 3 of the Act of June 26, 1936 (49 Stat. 1967), and said lands are non-taxable to the extent therein provided.

To have and to hold said described premises unto the said party of the second part, successors and assigns, forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages, and other liens and encumbrances of whatsoever nature.

I-2019-008236 Book 1258 Pg: 759  
 12/05/2019 1:22 pm Pg 0758-0761  
 Fee: \$ 24.00 Doc: \$ 0.00  
 Cheryl Trammel - Cherokee County Clerk  
 State of Oklahoma

Case Number: 17858

Applicant Name: UNITED KEETOOWAH  
 BAND OF CHEROKEE  
 INDIANS

## LEGAL DESCRIPTION EXHIBIT A

**Tract ID:****Tract Name: 76 ACRE COMMUNITY PARCEL**

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>
905	CHEROKEE (FCT)		MUSKOGEE, OK	EASTERN OKLAHOMA	CHEROKEE NATION	Surface Only
REGIONAL OFFICE						
<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>State</u>	<u>County</u>	<u>Meridian</u>	<u>Legal Description</u>
8	016.00N	022.00E	OKLAHOMA	CHEROKEE	Indian	N S SE
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WDAEA01



Office Codes: G,G,08,905 AD Number: 4200203495 Case: 17858

I-2019-008236 Book 1258 Pg: 760  
12/05/2019 1:22 pm Pg 0758-0761  
Fee: \$ 24.00 Doc: \$ 0.00  
Cheryl Trammel - Cherokee County Clerk  
State of Oklahoma

Signed and delivered this 20 day of September, 2019.

Joe Bunch  
Joe Bunch, Chief  
United Keetoowah Band of Cherokee Indians in Oklahoma

ACKNOWLEDGMENT

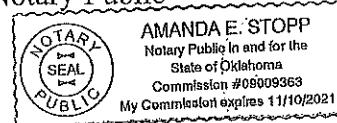
STATE OF OKLAHOMA )  
                        )  
                        §  
COUNTY OF CHEROKEE )

20 Before me, the undersigned, a Notary Public in and for said County and State, on this day of September 2019, personally appeared Joe Bunch, the duly elected Chief of the United Keetoowah Band of Cherokee Indians, a federally-recognized Tribe, to me known to be the identical person who executed the within and foregoing instrument on behalf of said Tribe and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of said Tribe for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: 11/10/21  
My Commission Number: 09009363

Notary Public



The within deed is hereby accepted and approved pursuant to the provisions of the Act of Congress, June 26, 1936 (49 Stat. 1967); and authority delegated by 209 DM 8, 230 DM 1, and 3 IAM 4.

12-5-2019  
DATE

ACTING G. Minkler  
REGIONAL DIRECTOR  
EASTERN OKLAHOMA REGION  
BUREAU OF INDIAN AFFAIRS  
MUSKOGEE, OKLAHOMA

\*Official acceptance attached.

I-2019-008236 Book 1258 Pg: 761  
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Cheryl Trammel - Cherokee County Clerk  
State of Oklahoma

Case Number: 17858  
Applicant Name: UNITED KEETOOWAH  
BAND OF CHEROKEE  
INDIANS

## Acceptance of Conveyance

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Bureau of Indian Affairs

The within document is hereby approved in accordance with authority delegated to the Assistant Secretary – Indian Affairs by 209 DM 8; to the Director, Bureau of Indian Affairs by 230 DM 1, to the Deputy Bureau Director, Field Operations and BIA Regional Directors by 3 IAM 4.

Approval Date: 12/05/2019



Signature of Approving Official  
ACTING REGIONAL DIRECTOR

FTAOC01

\*G ; G ; 08 ; 905 ; 4200203495 ; 17858 ; 904T000000\*

Office Codes: G,G,08,905 AD Number: 4200203495 Case: 17858

**Ex 1, Page 11 of 11**